

0806.50 TIME LIMITS

REV: 03/200209/2006

The Family Independence Act (RIGL 40-5.1) provides in part that "no person shall be included in any family for purposes of determining eligibility for, or the amount of, cash assistance to which a family is qualifiedentitled, if that person after attaining age eighteen (18) years of age, has received cash assistance for a total of sixty (60) months, whether or not consecutive, to include any time receiving family cash assistance in any other state or territory of the United States of America." (See section 0806.50.03 below.)

A month is countable toward this lifetime time limit when the individual has a FIP Employment Plan date and does not conform to any of the classifications outlined in Section 0806.50.07.

Moreover, the Family Independence Act (FIA) states that the Department of Human Services "may exempt a family from the application of the lifetime time limit by reason of hardship; provided, however, that the number of such families to be exempted by the Department under hardship shall not exceed twenty percent (20%) of the average monthly number of families to which assistance is provided" plus families with individuals waived from FIP work requirements due to domestic violence. The Department shall determine annually the maximum number of exemptions allowed under this statutory formula, and these exemptions shall be assigned in the following order of priority: first, to those classified as exempt as outlined in Section 0806.50.07, second, to those who are employed as outlined in Section 0806.50.10, and third, to those who are participating in certain approved education activities in their employment plan, are homeless, or lack child care as outlined in Section 0806.50.10.

When an individual reaches the lifetime time limit, an adequate and timely notice of adverse action will be issued to notify the individual of the action being taken in accordance with Section 0834.05.

0806.50.03 Counting Months of Family Cash Assistance Received in Other States

REV: 09/2006

Family cash assistance as issued in any other state or territory of the United States of America shall include family cash assistance funded on or after May 1, 1997, in whole or in part by Temporary Assistance for Needy Families (TANF) funds and/or family cash assistance provided under a program similar to the Family Independence Act or the federal TANF program.

For all applications received on or after July 1, 2006 and for all redeterminations of continuing eligibility occurring on or after July 1, 2006, the Department must determine if the family has received cash assistance — In order to determine the number of months of benefit issuance, the Department shall develop and implement a method to request from other states/territories in the U.S. after May 1,

~~2006~~1997. Form ~~****~~FIP-20, "Cash Assistance Received in Other States," will be used to obtain this information from each applicant or recipient family. This form ~~{enter name here — I think Gabriella has the form}~~ shall now be a part of each FIP application and redetermination packet.

~~This form~~Form FIP-21, "Months on Cash Assistance Request," is completed in duplicate if any cash assistance was reported as ever received on the FIP-20 ~~and signed by the applicant/recipient~~. The original is sent to the state or states where the family received cash assistance to verify the number of months the family received cash assistance from that state. A copy is retained in the case file.

~~When the form ****~~the FIP-21 is returned verifying the number of months of cash assistance the family received, that information is entered into InRhodes. The number of months of cash assistance that is counted toward the 60-month time limit for adults is then recalculated. A notice of adverse action is generated through InRhodes and mailed to the family.

The FIP Social Caseworker must be notified of any change in the number of months of cash assistance that is being counted toward the 60-month time limit as this may affect the type of work related activities⁷ in which a parent must participate in his/her FIP Employment Plan.

~~the benefit history that an applicant may have had there. This policy shall apply to applications for assistance filed on or after July 1, 2006 and to current recipients at the time of their next redetermination of eligibility occurring on or after July 1, 2006.~~

0806.50.05 Exceptions to Time Limits

REV:~~03/2002~~09/2006

There are exemptions from, exceptions to, and extensions to the lifetime time limit.

Individuals who meet certain criteria (outlined in Section 0806.50.07) and are granted such exemptions are not subject to the lifetime time limit.

Exceptions excuse nonexempt individuals from reaching the lifetime time limit requirement under certain circumstances.

Persons who have not yet reached the lifetime time limit and are employed thirty (30) or more hours per week during a month in a single parent family, or an average of thirty-five (35) hours per week during a month for a two- parent family, or who otherwise meet the criteria established in Section 0816.55.05, do not accrue countable months toward the lifetime time limit for the months in which they meet those criteria.

Extensions of the lifetime time limit due to hardship may be granted when individuals meet the criteria outlined in Section 0806.50.10.